



October 15, 2008

Via Email

Curt Hagman
Mayor
City of Chino Hills
2001 Grand Avenue
Chino Hills, CA 91709

Re: Political Signs Ordinance §12.48

Dear Mr. Hagman:

Calvary Chapel Chino Hills has retained the Alliance Defense Fund to represent it against attempts by the City of Chino Hills to prohibit the placement or distribution of signs supporting Proposition 8. By way of introduction, the Alliance Defense Fund is a non-profit legal and educational organization which exists to educate the public and the government about important constitutional liberties. When necessary, we litigate to secure our clients' constitutional rights.

The City of Chino Hills has threatened homeowners with a fine if they do not remove signs in their yards supporting Proposition 8. The City also threatened to fine Calvary Chapel Chino Hills for distributing signs supporting Proposition 8. Apparently, the City's position is based on its Ordinance §12.48 relating to political signs.

Ordinance §12.48 is unconstitutional both facially and as the City is attempting to apply it. It is unconstitutional to require an individual to secure a permit at the exorbitant rate of \$250.00 prior to the placement of a political sign on their private property. It is also unconstitutional to threaten to fine our client for simply distributing signs when our client had nothing to do with the "placement" of signs within the city. By distributing signs, Calvary Chapel Chino Hills was not placing signs anywhere within the City. The decision to place a sign on private property rests with the property owner, and it is unconstitutional to prohibit Calvary Chapel from distributing signs simply because some private property owners do not have a permit to place the sign on their property. And, the City cannot require those property owners to obtain a permit before placing political signs on their private property.

In short, it is our opinion that the Political Signs ordinance §12.48 is unconstitutional and cannot be applied either against Calvary Chapel Chino Hills or any individual who places a political sign on their property.

I am requesting that you respond to this letter in writing by **Friday, October 17, 2008, at 12:00 PST**, with written assurances that the Political Signs ordinance §12.48 will not be applied against either Calvary Chapel Chino Hills or any private property owner who desires to place political signs on their property. Without such written assurances, we will file a federal lawsuit to protect our client's or any private property owner's constitutional rights if the Ordinance is enforced.

I look forward to your immediate response.

Sincerely,



Erik W. Stanley
Alliance Defense Fund

cc: Pastor Jack Hibbs, Calvary Chapel Chino Hills (via email)
Members of Chino Hills City Council (via email)